

DECLARATION AND POWER OF ATTORNEY

As the below-named inventors, we declare that:

Our residences, post office addresses, and citizenships are as stated below under our names.

We believe we are the original, first and joint inventors of the invention entitled "IMMUNE REACTIVITY TO HER-2/*neu* PROTEIN FOR DIAGNOSIS AND TREATMENT OF MALIGNANCIES IN WHICH THE HER-2/*neu* ONCOGENE IS ASSOCIATED," which is described and claimed in the specification and claims of C-I-P patent application Serial No. 08/414,417, which we filed in the United States Patent and Trademark Office on March 31, 1995, and for which a patent is sought; and that this application in part discloses and claims subject matter disclosed in our earlier-filed application Serial No. 08/106,112, entitled "IMMUNE REACTIVITY TO HER-2/*neu* PROTEIN FOR DIAGNOSIS AND TREATMENT OF MALIGNANCIES IN WHICH THE HER-2/*neu* ONCOGENE IS ASSOCIATED," which we filed in the United States Patent and Trademark Office on August 12, 1993, now abandoned; which is a continuation-in-part of United States Serial No. 08/033,644, filed March 17, 1993, abandoned.

We have reviewed and understand the contents of the above-entitled specification, including the claims, as amended by any amendment specifically referred to herein (if any).

We acknowledge our duty to disclose information of which we are aware which is material to the examination of this application in accordance with 37 C.F.R. § 1.56(a), including material information which occurred between the filing date of said earlier-filed applications and the filing date of the C-I-P application.

We hereby appoint RICHARD W. SEED, Registration No. 16,557; ROBERT J. BAYNHAM, Registration No. 22,846; EDWARD W. BULCHIS, Registration No. 26,847; GEORGE C. RONDEAU, JR., Registration No. 28,893; DAVID H. DEITS, Registration No. 28,066; WILLIAM O. FERRON, JR., Registration No. 30,633; PAUL T. MEIKLEJOHN, Registration No. 26,569; DAVID J. MAKI, Registration No. 31,392; RICHARD G. SHARKEY, Registration No. 32,629; GEORGE B. FOX, Registration No. 31,510; DAVID V. CARLSON, Registration No. 31,153; MAURICE J. PIRIO, Registration No. 33,273; KARL R. HERMANNS, Registration No. 33,507; DAVID D. McMASTERS, Registration No. 33,963; ROBERT IANNUCCI, Registration No. 33,514; JOSHUA KING, Registration No. 35,570; MICHAEL J. DONOHUE, Registration No. 35,859; LORRAINE LINFORD, Registration No. 35,939; KEVIN J. CANNING, Registration No. 35,470; CHRISTOPHER J. DALEY-WATSON, Registration No. 34,807; STEVEN D. LAWRENZ, Registration No. 37,376; ROBERT G. WOOLSTON, Registration No. 37,263; CLARENCE T. TEGREENE, Registration No. 37,951; LAWRENCE W. NELSON,

Registration No. 34,684; ELLEN M. BIERMAN, Registration No. 38,079; BRYAN A. SANTARELLI, Registration No. 37,560; DOLORES A. MORO, Registration No. 33,972; MICHAEL L. KIKLIS, Registration No. P-38,939; CAROL NOTTENBURG, Registration No. P-39,317; PATRICK McBRIDE, Registration No. P-39,295; ANN T. KADLECEK, Registration No. P-39,244; CRAIG S. JEPSON, Registration No. 33,517; and PAUL T. PARKER, Registration No. 38,264, comprising the firm of SEED and BERRY, 6300 Columbia Center, Seattle, Washington 98104-7092, our attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. Please direct all telephone calls to Richard G. Sharkey at (206) 622-4900 and telecopies to (206) 682-6031.

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that the making of willfully false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of any patent issuing from this patent application.

Martin A. Cheever
Martin A. Cheever

Date 6/6/95

Residence : City of Mercer Island, County of King
 State of Washington
 Citizenship : United States of America
 P.O. Address : 6825 - 83rd Avenue S.E.
 Mercer Island, Washington 98040

SUBSCRIBED AND SWEORN TO BEFORE ME
 this 6/6/95 day of June 1995
Mary L. Disis /
 S. Zefra K. Altman
 Notary Public in and for the State
 of Washington, King County, Seattle

Mary L. Disis

Date 6/6/95

Residence : City of Renton, County of King
 State of Washington
 Citizenship : United States of America
 P.O. Address : 17850 S.E. 192nd Drive
 Renton, Washington 98055

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 this 6/6/95 day of June 1995
Mary L. Disis /
 S. Zefra K. Altman
 Notary Public in and for the State
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